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CODIS OPERATING POLICIES AND PROCEDURES MANUAL	Amendment Designator: 7A
	Effective Date: 7-August-2006
<p>7 VERIFYING AND REPORTING A CODIS MATCH AT SDIS</p> <p>7.1 The case examiner will verify or eliminate the possible CODIS match between a non-subject case profile and a Convicted Offender or Arrestee profile as soon as possible by comparing the STR allele values of the non-subject case profile and the STR allele values of the possible matching DNA profile of the Convicted Offender or Arrestee. If the examiner determines that the convicted offender or arrestee is not eliminated, the DNA Data Bank staff will be contacted for verification of the profile.</p> <p>7.1.1 Under normal circumstances, the presence of alleles in one profile and not in the other profile will constitute an elimination. However, the examiner shall use all factors concerning the profiles in question (such as relative allele intensities, difference in amplification kits, possible allelic dropout, nature of the evidence, experience in mixture interpretation) to make the determination.</p> <p>7.1.2 For matches involving a non-subject case forensic profile and a Convicted Offender sample, the examiner will immediately contact the Central Laboratory DNA Data Bank Supervisor and the Data Bank staff in writing (via e-mail or fax) and provide the case number, DNA sample number, and the date of the offense (if available). When a hit is obtained to duplicate profiles for two different samples, the notification to the Data Bank Supervisor should include both DNA sample numbers.</p> <p>7.1.2.1 The DNA Data Bank Supervisor or designee will obtain the identifying information for the Convicted Offender (such as name, social security number, date of birth, race, sex, SID number) from the DNA Data Bank Tracking Computer. As appropriate, the individual will also be verified as a convicted felon through inquiries of other agencies or computer databases. This information will be provided to the examiner on the appropriate form found in Appendix F. The form will be placed in the case file as a permanent record.</p> <p>7.1.2.2 If the hit is to samples from identical twins, two forms (one for each individual) will be provided to the examiner.</p> <p>7.1.2.3 If the hit is to duplicate samples belonging to the same offender, that information will be provided to the examiner in writing (via e-mail or fax) by the DNA Data Bank Supervisor or designee. This documentation will be placed in the case file and the Searcher Match Result Report reflecting both DNA sample numbers will be maintained in the case file and documented to reflect that the samples are from the same individual.</p> <p>7.1.3 For matches involving a non-subject case forensic profile and an Arrestee sample, the examiner will contact the Central Laboratory DNA Data Bank Supervisor and the Data Bank staff in writing (via e-mail or fax) AS SOON AS POSSIBLE and provide the case number, DNA sample number and date of offense. The DNA Data Bank Supervisor or designee will obtain the identifying information for the arrestee (such as name, social security number, date of birth, race, sex, SID number) from the DNA Data Bank Tracking Computer. This information will be provided to the examiner on the appropriate form found in Appendix F. The form will be placed in the case file as a permanent record.</p>	

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<p>7.1.3.1 For Arrestee hits generated by the scheduled weekly subsequent search, the State Administrator or designee will immediately review the results of the subsequent search, and notify the relevant examiner, the examiner's supervisor, and DNA Data Bank staff in writing (for example, via e-mail) of a potential Arrestee hit so the process can begin promptly.</p> <p>7.1.4 For Convicted Offender samples, the DNA Data Bank Supervisor or designee will verify the Data Bank sample in accordance with the <u>DNA Data Bank Operating Policies and Procedures Manual</u>. Under some circumstances, the sample may have to be pulled and re-analyzed. When required, this is typically completed within 72 hours. Arrestee samples are not re-analyzed.</p> <p>7.1.4.1 If the Convicted Offender sample requires re-analysis, the examiner will be notified in writing (for example, via e-mail).</p> <p>7.1.4.2 When the Convicted Offender sample is verified, the examiner will be officially notified of the verification or re-analysis in writing (via e-mail or fax). This notification will be maintained in the case file.</p> <p>7.1.4.3 If there is a problem with the verification, the examiner will be notified immediately by telephone or in writing (via e-mail or fax). Notification will also be provided immediately to the State System Administrator, Section Chief, and Program Manager.</p> <p>7.1.4.4 All documentation associated with the re-analysis will be maintained in the DNA Data Bank.</p> <p>7.1.5 The examiner will promptly notify the investigator of the non-subject case by telephone and provide him/her with the Convicted Offender or Arrestee information provided by the DNA Data Bank staff. Before verbal information can be provided to an investigator, the accuracy of that information must be confirmed by another examiner. It must be emphasized to the investigator that the match constitutes an investigative lead only, and any possible connection to the non-subject case must be determined through further investigation. Additionally, the investigator will be informed that, in order to confirm the match, a new sample from the individual must be submitted to the laboratory for STR analysis and direct comparison to the DNA profile from the evidence.</p> <p>7.1.5.1 For an Arrestee hit, this notification will be made AS SOON AS POSSIBLE after the Arrestee information has been provided to the examiner by the DNA Data Bank staff.</p> <p>7.1.5.2 If information provided by the DNA Data Bank staff indicates that the Convicted Offender is currently incarcerated, the examiner will wait until the felony status of the offender has been confirmed and the offender profile has been verified/re-analyzed before notifying the investigator.</p> <p>7.1.5.3 If information provided by the DNA Data Bank staff indicates that the Convicted Offender is currently not incarcerated or is currently incarcerated but a parole hearing is pending or in process, or the whereabouts of the offender is unknown, the examiner will immediately notify the investigator of the match after receiving confirmation of the offender's felony status, but prior to the completion of the re-analysis, and provide the investigator with the information related to the Convicted Offender.</p>	

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<p data-bbox="342 300 1536 396">7.1.6 At the same time that information is being obtained from the DNA Data Bank Supervisor, the examiner will also notify the State System Administrator in writing (e-mail or fax) of the possible match, so that the appropriate data can be added to the CODIS Hit Counting Charts.</p> <p data-bbox="440 434 1544 598">7.1.6.1 This written notification should contain the offender/arrestee sample number and information about the case, such as the FS Lab Number, jurisdiction, type of evidence, date and type of offense, whether a suspect sample was compared and if so, if the suspect was eliminated, and whether the match occurred as a result of an original or subsequent search.</p> <p data-bbox="440 636 1495 732">7.1.6.2 In addition, copies of the RFLE(s), and Inmate Felony Conviction Form (or information on the arrestee) will be provided to the State System Administrator as soon as they are available.</p> <p data-bbox="342 770 1544 968">7.1.7 The results will be reported in a Certificate of Analysis in accordance with procedures set forth in the current version of the Division Quality Manual and the <u>Commonwealth of Virginia Division of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol</u>. Additional identifying information such as alias, alternate Social Security numbers and/or alternate birth dates may be reported, but will be confined to the information available in the DFS Data Bank Tracking Computer.</p> <p data-bbox="440 1005 1536 1102">7.1.7.1 The Convicted Offender information will be provided to the investigator in a Certificate of Analysis after the confirmation of the felony status of the offender and, if necessary, the re-analysis of the offender's sample.</p> <p data-bbox="440 1140 1536 1236">7.1.7.2 The Arrestee information will be provided to the investigator in a Certificate of Analysis AS SOON AS POSSIBLE after the arrestee information has been provided to the examiner by the DNA Data Bank staff.</p> <p data-bbox="342 1274 1511 1333">7.1.8 If the forensic profile associated with the match has not been entered into CODIS, it will be entered in accordance with Section 3.</p> <p data-bbox="440 1371 1528 1470">7.1.8.1 For a match resulting from a subsequent search, the specimen would have been previously entered into CODIS. As a result of the match, the Source ID field for that specimen will be changed from "no" to "yes".</p> <p data-bbox="440 1507 1487 1566">7.1.8.2 The change will be performed by the case examiner and documented by placing a copy of the new Specimen Detail Report in the case file.</p> <p data-bbox="248 1604 1520 1701">7.2 When a potential match is made between a forensic profile and a Convicted Offender profile, the laboratory will make every effort to ensure that the Offender sample is qualified to be in the Virginia DNA Data Bank.</p> <p data-bbox="342 1738 1544 1835">7.2.1 If during the verification process it is determined that the sample does not qualify for entry, the procedure set forth below will be followed. This applies to potential hits within the Commonwealth of Virginia and potential hits with other states, to include NDIS hits.</p> <p data-bbox="440 1873 1544 1932">7.2.1.1 When it is determined that a Convicted Offender sample is unqualified, the DNA profile for that sample will be immediately removed from CODIS by the State System</p>	

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<p>Administrator or designee. The deletion report will be provided to the DNA Data Bank Supervisor.</p> <p>7.2.1.2 The Convicted Offender identifying information will be removed from the DNA Data Bank Tracking Computer system, in accordance with the <u>DNA Data Bank Operating Policies and Procedures Manual</u>.</p> <p>7.2.1.3 The Convicted Offender information will NOT be provided to the investigating agency. In addition, the agency will NOT be informed of the existence of the potential match.</p> <p>7.2.1.4 The case examiner will maintain documentation in the case file concerning the search, the potential match and why the match was not reported, but WILL NOT maintain any identifying information of the Convicted Offender in the case file.</p> <p>7.3 The case examiner will confirm or eliminate a possible CODIS match between a forensic non-subject case profile and another forensic profile or decedent profile as soon as possible by comparing the STR allele values for the profiles from each case. Under normal circumstances, the presence of additional alleles in one profile and not in the other profile will constitute an elimination. However, the examiner shall use all factors concerning the profiles in question (such as relative allele intensities, difference in amplification kits, possible allelic dropout, nature of the evidence, experience in mixture interpretation) to determine whether a possible match is an elimination or an inclusion. The match is considered verified when the manual comparison reveals no unexplained differences between the DNA profiles involved.</p> <p>7.3.1 The examiner of the non-subject case will IMMEDIATELY notify his/her supervisor and the State System Administrator of the match.</p> <p>7.3.1.1 The written notification should contain information about the cases such as the FS Lab Numbers, jurisdictions, types of evidence, dates and types of offenses, and whether the match occurred as a result of an original or subsequent search. In addition, copies of the RFLEs for all cases will be provided to the State System Administrator as soon as they are available.</p> <p>If one or more of the cases has been the subject of a previous Data Bank match, it is only necessary to provide the RFLEs for those cases NOT previously linked.</p> <p>7.3.1.2 If multiple examiners are involved, the examiners will promptly exchange pertinent information (such as agency case number, jurisdiction, investigator, case type) on the matching cases.</p> <p>7.3.1.3 The examiner(s) who analyzed the non-subject case(s) involved in the match will immediately notify the investigator(s) of the match and provide the appropriate information (such as agency case number, jurisdiction, investigator contact information, case type, and evidence type). Information provided to the investigator WILL NOT include the suspect's name.</p> <p>7.3.1.4 The information will also be provided to the investigator(s) in a Certificate of Analysis.</p>	

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<p data-bbox="532 266 1549 430">7.3.1.4.1 The results will be reported in accordance with the procedures set forth in the current version of the Division Quality Manual and the <u>Commonwealth of Virginia Division of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol</u>.</p> <p data-bbox="532 468 1549 667">7.3.1.4.2 In general, if multiple examiners are involved in a match between non-subject cases and all of the cases have been previously reported, the examiner of the non-subject case listed as the target profile will be responsible for generating the Certificate of Analysis providing notification of the match. This Certificate of Analysis will be copied to the investigator(s) of all the matching case(s).</p> <p data-bbox="667 705 1539 932">A Memorandum of Record will be generated by the examiner who made the hit (target profile) and forwarded to the examiner whose case the hit was made against (candidate profile) for placement in the case file. The memorandum of record should state that a hit was obtained between specimen id # _____ to specimen id # _____. In addition, both examiners will print out a copy of the Match Details Report and include this with the memorandum of record in each case file.</p> <p data-bbox="532 970 1539 1203">7.3.1.4.3 Typically, if reports have not been generated for one or more of the non-subject cases involved in a match, the examiner of the non-subject case listed as the target profile will be responsible for generating the Certificate of Analysis providing notification of the match. The Certificate of Analysis will not be generated until the peer review of the candidate profile has been completed. This Certificate of Analysis will be copied to the investigator(s) of all the matching case(s).</p> <p data-bbox="667 1241 1539 1470">A Memorandum of Record will be generated by the examiner who made the hit (target profile) and forwarded to the examiner whose case the hit was made against (candidate profile) for placement in the case file. The memorandum of record should state that a hit was obtained between specimen id # _____ to specimen id # _____. In addition, both examiners will print out a copy of the Match Details Report and include this with the memorandum of record in each case file.</p> <p data-bbox="532 1507 1549 1638">7.3.1.4.4 If a non-subject case profile matched profiles in more than one index (most commonly matching a Convicted Offender profile as well as one or more forensic profiles), the examiner will report all of the matches in a Certificate of Analysis.</p> <p data-bbox="667 1675 1539 1904">A Memorandum of Record will be generated by the examiner who made the hit (target profile) and forwarded to the examiner whose case the hit was made against (candidate profile) for placement in the case file. The memorandum of record should state that a hit was obtained between specimen id # _____ to specimen id # _____. In addition, both examiners will print out a copy of the Match Details Report and include this with the memorandum of record in each case file.</p>	

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<p data-bbox="440 268 1536 331">7.3.1.5 If the forensic profile associated with the match has not been entered into CODIS, the specimen will be entered in accordance with Section 3.</p> <p data-bbox="440 369 1536 499">7.3.1.6 If a forensic non-subject case profile involved in the match has previously been entered into CODIS, the Source ID field for that specimen will be changed from “no” to “yes”. This change will be performed by the case examiner and documented by placing a copy of the new Specimen Details Report in the case file.</p> <p data-bbox="1339 600 1412 625" style="text-align: right;">◆END</p>	